

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 06/30/2020

----- X
UNITED STATES OF AMERICA

-against-

ANGEL LOPEZ,

Defendant.
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X

19-CR-862(VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS Mr. Lopez has requested a change-of-plea hearing; and

WHEREAS Mr. Lopez is currently held at MDC;

IT IS HEREBY ORDERED THAT a hearing by videoconference is scheduled for **July 16, 2020, at 11:00 A.M.** Counsel will be provided with call-in instructions via email. MDC is directed to produce Mr. Lopez for his video appearance.

IT IS FURTHER ORDERED THAT, no later than **July 9, 2020**, defense counsel must file either an executed waiver (attached to this Order) or a letter requesting that the video conference be rescheduled as an in-person conference on a date convenient to all parties. Counsel may sign on his client's behalf if he confirms that he has explained the voluntary waiver to his client and that his client has authorized counsel to sign the waiver.

IT IS FURTHER ORDERED THAT the Government must email chambers a copy of the proposed plea agreement and any superseding charging instrument, no later than **July 9, 2020**.


IT IS FURTHER ORDERED THAT, if defense counsel would like to confer with Mr. Lopez for 15 minutes prior to the start of the videoconference, counsel must email the chambers inbox by **12:00 P.M. on July 1, 2020**, and provide counsel's preferred phone number. To optimize use of the Court's video conferencing technology, all parties on the call must:

- i. Use a browser other than Microsoft Explorer to access the video feed on Court Call;
- ii. Position the participant's device as close to the WiFi router as is feasible;
- iii. Ensure any others in the participant's household are not using WiFi during the period of the call;
- iv. If the participant is participating by video, connect to the audio portion of the videoconference by having Court Call call the participant at a desired phone number (landline or mobile), rather than using computer audio;
- v. If there is ambient noise, the participant must mute his or her device when not speaking.

Members of the public may attend the conference by dialing the audio-only line, 1-855-268-7844, using the access code 32091812# and PIN 9921299#.

SO ORDERED.

Dated: June 30, 2020
New York, NY


VALERIE CAPRONI
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

-v-

,
Defendant.

**WAIVER OF RIGHT TO BE
PRESENT AT CRIMINAL
PROCEEDING**

-CR- () ()

-----X
Check Proceeding that Applies

_____ Entry of Plea of Guilty

I am aware that I have been charged with violations of federal law. I have consulted with my attorney about those charges. I have decided that I wish to enter a plea of guilty to certain charges. I understand I have a right to appear before a judge in a courtroom in the Southern District of New York to enter my plea of guilty and to have my attorney beside me as I do. I am also aware that the public health emergency created by the COVID-19 pandemic has interfered with travel and restricted access to the federal courthouse. I have discussed these issues with my attorney. By signing this document, I wish to advise the court that I willingly give up my right to appear in person before the judge to enter a plea of guilty. By signing this document, I also wish to advise the court that I willingly give up any right I might have to have my attorney next to me as I enter my plea so long as the following conditions are met. I want my attorney to be able to participate in the proceeding and to be able to speak on my behalf during the proceeding. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

Date:

Print Name

Signature of Defendant

_____ Sentence

I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York at the time of my sentence and to speak directly in that courtroom to the judge who will sentence me. I am also aware that the public health emergency created by the COVID-19 pandemic has interfered with travel and restricted access to the federal courthouse. I do not wish to wait until the end of this emergency to be sentenced. I have discussed these issues with my attorney and willingly give up my right to be present, at the time my sentence is imposed, in the courtroom with my attorney and the judge who will impose that sentence. By signing this document, I wish to advise the court that I willingly

give up my right to appear in a courtroom in the Southern District of New York for my sentencing proceeding as well as my right to have my attorney next to me at the time of sentencing on the following conditions. I want my attorney to be able to participate in the proceeding and to be able to speak on my behalf at the proceeding. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

Date: _____
Print Name Signature of Defendant

I hereby affirm that I am aware of my obligation to discuss with my client the charges against my client, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver and consent form. I affirm that my client knowingly and voluntarily consents to the proceedings being held with my client and me both participating remotely.

Date: _____
Print Name Signature of Defense Counsel

Addendum for a defendant who requires services of an interpreter:

I used the services of an interpreter to discuss these issues with the defendant. The interpreter also translated this document, in its entirety, to the defendant before the defendant signed it. The interpreter's name is: _____.

Date: _____
Signature of Defense Counsel

Accepted: _____
Signature of Judge
Date: